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**Examiner Name** 

Attorney Docket Number

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\* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

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	First Named Inventor	Gary Weller			
STATEMENT BY APPLICANT	Art Unit	3721			
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Application Number 10/797,303

Filing Date March 9, 2004

First Named Inventor Welter et al.

Art Unit 3734

Examiner Name Michael T. Andersen

Attorney Docket Number SATTY-69240

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Complete if Known Substitute for form 1449A/PTO Application Number 10/797,303 Filing Date March 9, 2004 INFORMATION DISCLOSURE First Named Inventor Weller et al. STATEMENT BY APPLICANT Art Unit 3734 Examiner Name Michael T. Andersen (use as many sheets as necessary) Sheet SATTY-69240 2 of 20 Attorney Docket Number **U.S. PATENT DOCUMENTS** Document Number Pages, Columns, Lines, Where Examiner Cite **Publication Date** Name of Patentee or Number Kind Code Relevant Passages or Relevant Initials\* MM-DD-YYYY Applicant of Cited Document Figures Appear (if known) 4,641,653 02-10-1987 Rockey 14-4 4.646,722 03-03-1987 Silverstein et al. 4,648,383 03-10-1987 Angelchik 4,694,827 Weiner et al. 09-22-1987 4,716,900 01-05-1988 Ravo et al. 02-09-1988 4,723,547 Kullas et al. 4,739,758 04-26-1988 Lai et al. 05-17-1988 4,744,363 Hasson 4,773,393 09-27-1988 Haber et al. 4,790,294 12-13-1988 Allred, III et al. 4,803,985 02-14-1989 Hill 4,841,888 06-27-1989 Mills et al. 4,899,747 02-13-1990 Garren et al. 4,905,693 03-06-1990 Ravo 4,925,446 05-15-1990 Garay et al. 4,927,428 05-22-1990 Richards 4,969,474 11-13-1990 Schwarz FOREIGN PATENT DOCUMENTS Foreign Patent Document Pages, Columns, Lines Examiner **Publication Date** Name of Patentee or Where Relevant Passages or Initials\* Kind<sup>3</sup> MM-DD-YYYY Applicant of Cited Document Office3 Relevant Figures Appear Number<sup>4</sup> (if known) wo 2001/67964 09-20-2001 MTA <u>A2</u> Medigus Ltd. wo 2001/85034 ΑĪ 11-15-2001 Geitz wo 2002/24080 A2 03-28-2002 Schurr et al. WO 2002/35980 A2 05-10-2002 Satiety, Inc. wo 2002/039880 A2 05-23-2002 McClellan et al. wo 2002/071951 Al 09-19-2002 Alvarez wo 2002/091961 AI 11-21-2002 Hashiba et al. wo 2002/096327 A2 12-05-2002 Weller et al. WO 2003/007796 A2 01-30-2003 Laufer et al. wo 2003/017882 03-06-2003 A2 Synecor, LLC Examiner Date 16/200G Signature Considered

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. It is indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Action of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete his form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. Substitute for form 1449B/PTO Complete if Known Application Number 10/797,303 INFORMATION DISCLOSURE March 9, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Weller et al. 3734 Group Art Unit (use as many sheets as necessary) Examiner Name Michael T. Andersen SATTY-69240 Sheet Attorney Docket Number of | 20 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, Examiner Cite magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or T2 Initials\* country where published. Benjamin, S.B., et al., A Double-Blind Cross Over Study of the Garren-Edwards anti-Obesity Bubblem Abstract Submitted to A/S/G/E/ 1987, Georgetown University Hospital and Fairfax Hospital, Washington, D.C. and Fairfax, MTD Benjamin, S.B., Small Bowel Obstruction and the Garren-Edwards Bubble, Lessons to be Learned? Abstracts Submitted to A/S/G/E 1987, Division of Gastroenterology, Department of Medicine, Georgetown University Hospital, Washington, D.C., Boyle, Thomas M., M.D., et al., Small Intestinal Obstruction Secondary to Obturation by a Garren Gastric Bubble, The American Journal of Gastroenterology, Vol. 82, No. 1, pp. 51-53, 1987 Büchler, M.W., M.D. et al., A Technique For Gastroplasty As A Substitute For The Esophagus: Fundus Rotation Gastroplasty, Journal Of The American College Of Surgeons, Vol. 182, pp.241-245, March 1996 Cass, O.W., et al., Long-Term Follow-Up of Patients With Percutaneous Endoscopic Gastrostomy (PEG), Abstracts Submitted to A/S/G/E 1987, Department of Medicine, Hennepin County Medical Center, Minneapolis, MN 55415 Chang, Craig G. M.D. 1, et al.. Gastro-Clip® Gastroplasty: A Very Long-Term Complication, Obesity Surgery, 14, © FD-Communications Inc.. 2004 Clark, Charlene, R.N., The Gastric Bubble: Medicine, Magic or Mania? SGA Journal, Vol. 9, No. 2, pp. 45-47, Fall Cummings, David E., M.D., et al., Plasma Ghrelin Levels After Diet-Induced Weight Loss or Gastric Bypass Surgery, New England Journal of Medicine, Vol. 346, No. 21, pp. 1623-1630, May 23, 2002 Davenport, Horace W., Ph.D., D.Sc., Physiology of the Digestive Tract: An Introductory Text, 3d Ed., Cover and Table of Contents DeMeester, Tom T., M.D., Evolving Concepts of Reflux: The Ups and Downs of the LES, Canadian Journal of Gastroenterology, Vol. 16, No. 5, pp. 327-331, 2002 De Waele, B., M.D., et al., Intragastric Balloons for Preoperative Weight Reduction, Obesity Surgery, Vol. 10, pp. Edell, Steven L., et al., Radiographic Evaluation of the Garren Gastric Bubble, American Journal of Radiology, Vol. 145, pp. 49-50, July 1985 Endo Gia\* Universal, Single UseStapler and Endo GIA Roticulator\*, Brochure, 8 pages, Undated Date Examiner

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